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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE DISTRICT OF ARIZONA**
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8 Sarah Farnell,

9 Plaintiff,

10 v.

11 Daniel Ashby Zanon, et al.,

12 Defendants.
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No. CV-23-02406-PHX-GMS

ORDER

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15 Pending before the Court is Plaintiff Sarah Farnell's Motion for Preliminary
16 Injunction (Doc. 16), Motion to Strike Defendants' Response to Plaintiff's Motion for
17 Preliminary Injunction and Motion to Seal the Record (Doc. 21), and Notice of Voluntary
18 Dismissal of Counts II and IV of Plaintiff's Complaint (Doc. 22).

19 **IT IS ORDERED** that Plaintiff's Motion for Preliminary Injunction (Doc. 16) is
20 **DENIED**. Plaintiff failed to meet the evidentiary standard for a preliminary injunction.
21 *See Lopez v. Brewer*, 680 F.3d 1068, 1072 (9th Cir. 2012) (quoting *Mazurek v. Armstrong*,
22 520 U.S. 968, 972 (1997)) ("A preliminary injunction is 'an extraordinary and drastic
23 remedy, one that should not be granted unless the movant, by a clear showing, carries the
24 burden of persuasion.'").

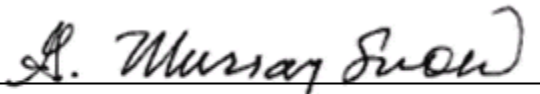
25 **IT IS FURTHER ORDERED** that Plaintiff's Motion to Strike Defendants'
26 Response to Plaintiff's Motion for Preliminary Injunction and Motion to Seal the Record
27 (Doc. 21) is **DENIED**. Federal Rule of Civil Procedure 12(f) applies to pleadings, not
28 motions. Fed. R. Civ. P. 12(f) ("The court may strike [] a *pleading*") (emphasis

1 added). Moreover, Plaintiff does not establish the compelling reasons standard required
2 by the Ninth Circuit to seal Defendants' Response in Opposition to Plaintiff's Motion for
3 Preliminary Injunction (Doc. 20). *See Kamakana v. City & Cnty. of Honolulu*, 447 F.3d
4 1172, 1179 (9th Cir. 2006) ("The mere fact that the production of records may lead to a
5 litigant's embarrassment, incrimination, or exposure to further litigation will not, without
6 more, compel the court to seal its records.").

7 **IT IS FURTHER ORDERED** that Plaintiff's Notice of Voluntary Dismissal of
8 Counts II and IV of Plaintiff's Complaint (Doc. 22) is **NOTED**.

9 **IT IS FURTHER ORDERED AFFIRMING** Defendants' stipulation as stated on
10 the record to file a 30-day advance notice with this Court prior to publishing, distributing,
11 or disseminating Plaintiff's nude or sexually explicit images.

12 Dated this 29th day of December, 2023.

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15 G. Murray Snow
16 Chief United States District Judge
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